

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 10

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO STATE EXPENDITURES; ENACTING NEW SECTIONS OF THE
GENERAL APPROPRIATION ACT OF 2008 TO REDUCE CERTAIN GENERAL
FUND APPROPRIATIONS FOR FISCAL YEAR 2009 AND TO PROVIDE FOR
ADDITIONAL BUDGET ADJUSTMENT AUTHORITY; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the General Appropriation Act
of 2008 is enacted to read:

"[NEW MATERIAL] APPROPRIATION REDUCTIONS.--

A. Except as provided in Subsections B through G of
this section, all amounts set out under the general fund column
in Section 4 of the General Appropriation Act of 2008 are
reduced by two and one-half percent rounded to the nearest one
hundred dollars (\$100).

B. In lieu of the reduction made in Subsection A of
.175815.2

underscored material = new
[bracketed material] = delete

1 this section and except as provided in Subsection G of this
2 section, the general fund appropriations in Section 4 of the
3 General Appropriation Act of 2008 to the following agencies are
4 reduced by the specified percentage, rounded to the nearest one
5 hundred dollars (\$100):

6 (1) the personnel board, the public employee
7 labor relations board, the regulation and licensing department,
8 the energy, minerals and natural resources department, the
9 state engineer and the department of environment are reduced by
10 five percent;

11 (2) the economic development department is
12 reduced by three and nine-tenths percent;

13 (3) the public education department is reduced
14 by three and eight-tenths percent;

15 (4) the taxation and revenue department, the
16 cultural affairs department and the aging and long-term
17 services department are reduced by three percent;

18 (5) the veterans' services department is
19 reduced by two and four-tenths percent;

20 (6) the workforce solutions department is
21 reduced by two and one-tenth percent;

22 (7) the district attorneys, the administrative
23 office of the district attorneys, the public defender
24 department, the children, youth and families department, the
25 corrections department and the department of public safety are

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1 reduced by one and nine-tenths percent;

2 (8) the vocational rehabilitation division is
3 reduced by one and eight-tenths percent;

4 (9) the developmental disabilities planning
5 council is reduced by one and six-tenths percent;

6 (10) the supreme court law library, the New
7 Mexico compilation commission, the judicial standards
8 commission, the court of appeals, the supreme court, the
9 administrative office of the courts, the supreme court building
10 commission, the district courts and the Bernalillo county
11 metropolitan court are reduced by one and four-tenths percent;
12 and

13 (11) the appropriation to the lieutenant
14 governor is not reduced.

15 C. In lieu of the reduction made in Subsection A of
16 this section, the general fund appropriations in Section 4 of
17 the General Appropriation Act of 2008 to the medical assistance
18 program of the human services department and the medicaid
19 behavioral health program of the human services department are
20 reduced by one percent rounded to the nearest one hundred
21 dollars (\$100).

22 D. After the reduction pursuant to Subsection C of
23 this section, the general fund appropriation in Section 4 of
24 the General Appropriation Act of 2008 to the medical assistance
25 program of the human services department in the other category

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1 is further reduced by twenty-four million five hundred fifty
2 thousand dollars (\$24,550,000).

3 E. After the reduction pursuant to Subsection A of
4 this section, the general fund appropriation in Section 4 of
5 the General Appropriation Act of 2008 to the transportation
6 distribution for public schools is further reduced by four
7 million dollars (\$4,000,000).

8 F. After the reductions pursuant to Subsections A
9 through E of this section, the total appropriation from the
10 general fund to each agency and institution in Section 4 of the
11 General Appropriation Act of 2008 is further reduced by an
12 amount equal to two and one-half percent of that agency's or
13 institution's allocation of the compensation appropriation made
14 in Section 8 of that act. The reductions shall be made using
15 the same methodology used by the department of finance and
16 administration and the higher education department in
17 allocating the compensation appropriation. Each agency and
18 institution shall use program transfers, category transfers,
19 cash balances, vacancy savings and other available funds to
20 provide the increases provided for in Section 8 of the General
21 Appropriation Act of 2008 and Laws 2008, Chapter 6, Section 43.

22 G. A reduction to an appropriation, otherwise
23 required by Subsection A or B of this section, shall not be
24 made if the state budget division of the department of finance
25 and administration determines that:

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1 (1) the appropriation is to the department of
 2 finance and administration, the public education department or
 3 the higher education department;

4 (2) the purpose of the appropriation is for
 5 the department of finance and administration, the public
 6 education department or the higher education department to:

7 (a) distribute the money appropriated to
 8 another public entity or association of public entities that is
 9 named in the appropriation; or

10 (b) expend the money appropriated on
 11 goods, services or memberships provided by another public
 12 entity or association of public entities that is named in the
 13 appropriation; and

14 (3) the money was distributed or expended
 15 prior to January 1, 2009.

16 H. Where required as part of the operating budget
 17 approval process, the state budget division of the department
 18 of finance and administration shall reduce all appropriations
 19 set out under the other state funds, internal service
 20 funds/interagency transfers and federal funds columns to
 21 reflect the revised general fund appropriations."

22 Section 2. A new section of the General Appropriation Act
 23 of 2008 is enacted to read:

24 "[NEW MATERIAL] ADDITIONAL FISCAL YEAR 2009 BUDGET
 25 ADJUSTMENT AUTHORITY.--Subject to review and approval by the
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1 department of finance and administration pursuant to Sections
2 6-3-23 through 6-3-25 NMSA 1978, during fiscal year 2009:

3 A. each agency may request category transfers
4 between any categories of a program and between programs. The
5 authority granted by this subsection is in addition to the
6 budget adjustment authority granted in Section 10 of the
7 General Appropriation Act of 2008; and

8 B. a program with internal service
9 funds/interagency transfers appropriations or other state funds
10 appropriations that collects money in excess of the amounts
11 appropriated may request budget increases in an amount not to
12 exceed five percent of its internal funds/interagency transfers
13 or other state funds appropriations contained in Section 4 of
14 the General Appropriation Act of 2008. The authority granted
15 by this subsection is in lieu of the budget increase authority
16 granted in Subsection D of Section 10 of the General
17 Appropriation Act of 2008."

18 Section 3. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect immediately.